

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 22nd DAY OF APRIL 2013 AT 6:30 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	James D. Politis	-Chair
	William H. Brown	-Vice Chair
	Mary W. Biggs	-Supervisors
	Gary D. Creed	
	Matthew R. Gabriele	
	Annette S. Perkins	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Brian Hamilton	-Economic Development Director
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

ADDENDUM – ADD TO THE AGENDA

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously, the following addendum dated April 22, 2013 was added to Closed Meeting:

Section 2.2-3711 (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

4. Regional Tourism Office

The vote on the forgoing motion was as follows:

AYE

Matthew R. Gabriele
Christopher A. Tuck
Mary W. Biggs
William H. Brown
Annette S. Perkins
Gary D. Creed
James D. Politis

NAY

None

INTO CLOSED MEETING

On a motion by William H. Brown, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- Section 2.2-3711 (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community.
1. Project # 2012-0010
- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body
1. Old Elliston/Lafayette Elementary School Site
 2. Former Plum Creek Greenbox Site
 3. Former Texas Hollow Road Park
 4. Regional Tourism Office
- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
1. Economic Development Authority
 2. Planning Commission

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
Annette S. Perkins	
William H. Brown	
Mary W. Biggs	
Christopher A. Tuck	
Matthew R. Gabriele	
James D. Politis	

OUT OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
William H. Brown	
Mary W. Biggs	
Christopher A. Tuck	
Matthew R. Gabriele	
Gary D. Creed	
James D. Politis	

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only

such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

William H. Brown
Mary W. Biggs
Christopher A. Tuck
Matthew R. Gabriele
Gary D. Creed
Annette S. Perkins
James D. Politis

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC ADDRESS

There being no speakers, the public address session was closed.

CONSENT AGENDA

Supervisor Tuck requested the resolution to appoint Mary Pettit to the New River Valley Alcohol Safety Action Program be removed from Consent Agenda and added to New Business. Supervisor Tuck stated he serves on the New River Valley Alcohol Safety Action Program and felt it would be a conflict of interest if he voted on this appointment.

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously, the Consent Agenda dated April 22, 2013 was approved with the resolution to appoint Mary Pettit to the New River Valley Alcohol Safety Action Program removed and added to New Business. The vote was as follows:

AYE

Mary W. Biggs
Christopher A. Tuck
Matthew R. Gabriele
Gary D. Creed
Annette S. Perkins
William H. Brown
James D. Politis

NAY

None

**A-FY-13-78
REVENUE REFUND
TRANSFER FROM GENERAL CONTINGENCIES**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950	General Contingencies	(\$11,500)
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TO:

900	Revenue Refunds	\$11,500
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Said resolution transfers funds from General Contingencies to Revenue Refunds to cover the cost of abatements on real and personal property.

**R-FY-13-109
A RESOLUTION APPROVING AGREEMENT ALLOWING
CRAIG COUNTY TO WITHDRAW FROM
THE FAIRVIEW DISTRICT HOME BOARD**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

WHEREAS, The Fairview District Home Board is comprised of the County of Craig, Virginia; County of Giles, Virginia; County of Montgomery, Virginia; County of Pulaski, Virginia and the City of Radford, Virginia; and

WHEREAS, The localities that make up the Fairview District Home Board together own real property and the improvements located in the County of Pulaski, Virginia located at 5140 Hatcher Road, Dublin, Virginia, commonly known as the “Fairview District Home”; and

WHEREAS, The County of Craig, Virginia has requested to withdraw from the Fairview District Home Board; and

WHEREAS, The localities that make up the Fairview District Home Board have negotiated a Withdrawal Agreement whereby Craig County, Virginia would convey its interest in the Fairview District Home property to the remaining members in consideration of the remaining members agreeing to release Craig County, Virginia from having to pay their current outstanding liability owed the Fairview District Home Board in the sum of Twenty-Four Thousand, Nine Hundred Sixty-One Dollars (\$24,961); and

WHEREAS, The Board of Supervisors of the County of Montgomery, Virginia agrees with the terms of the Withdrawal Agreement allowing Craig County, Virginia to withdraw from the Fairview District Home Board and desires to authorize its Chairman to sign the Agreement and Deed accepting the County’s portion of Craig County’s share of the Fairview District Home property.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to allow Craig County, Virginia to withdraw from the Fairview District Home Board pursuant to the terms of the Withdrawal Agreement negotiated by the members of the Fairview District Home Board and hereby authorizes its Chairman, James D. Politis, to execute the Withdrawal Agreement and Deed accepting the County’s portion of Craig County’s share of the Fairview District Home property on behalf of the County of Montgomery, Virginia.

NEW BUSINESS

R-FY-13-110 NRV ALCOHOL SAFETY ACTION PROGRAM RE-APPOINT MARY PETTITT

On a motion by Matthew R. Gabriele, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby re-appoints **Mary Pettitt** to the **Alcohol Safety Action Program (New River Valley)** effective May 1, 2013 and expiring April 30, 2014.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Matthew R. Gabriele	None	Christopher A. Tuck
Gary D. Creed		
Annette S. Perkins		
William H. Brown		
Mary W. Biggs		
James D. Politis		

INTO WORK SESSION

On a motion by Matthew R. Gabriele, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Roanoke Valley Area MPO
2. Montgomery Tourism Development Council – Tourism Plan Update
3. School Board Request for One-Time Funds

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Christopher A. Tuck	None
Matthew R. Gabriele	
Gary D. Creed	
Annette S. Perkins	
William H. Brown	
Mary W. Biggs	
James D. Politis	

Roanoke Valley Area Metropolitan Policy Board (RVAMPO)

Dan Brugh, Executive Director of the Montgomery County MPO, reported that as Montgomery County's liaison to the Roanoke Valley Area MPO that the RVAMPO revised their by-laws which incorporates the addition of Montgomery County as an official voting member. The voting member and an alternate must be an elected official. Also, the RVAMPO is in the process of allocating Regional Surface Transportation Program funds. Action on the funding allocations will take place at the May meeting, since the Commonwealth Transportation Board will need to rule on projects/funding at their June meeting. The RVAMPO is expecting \$28 million over the next 6 years. Mr. Brugh stated he does not know how much of this money, if any, will be allocated to the small portion of Montgomery County that is included in the RVAMPO area, but they are entitled to submit projects.

Mr. Brugh also reported that the RVAMPO would like to start the planning of the development of the Intermodal facility in Elliston and would like Montgomery County to participate. Recently, several manufacturing companies have not relocated to the region due to not having an intermodal facility and have looked elsewhere.

Mr. Brugh thanked the Board for allowing him to serve as the liaison to RVAMPO Policy Board. He offered his assistance to whomever the Board appoints to the RVAMPO.

The Board discussed the appointment to the RVAMPO and decided that Supervisor Perkins will serve as Montgomery County's representative with Chair Politis as alternate. The Board will take official action after their work session.

Montgomery Tourism Development Council – Tourism Plan Update

Lisa Bleakly, Tourism Director, provided highlights of the draft Tourism Strategic Plan. She introduced Randall Rose, partnership marketing specialist with the Virginia Tourism Corporation (VTC), who facilitated the strategic planning process.

Ms. Bleakly reported that tourism is a \$122 million industry in Montgomery County, Blacksburg, and Christiansburg, providing over 1,200 jobs. The development and promotion of tourism with applicable assets and attractions will increase visitor interest and spending, and will enhance quality of life of citizens and increase interest in all types of business establishments and expansion. Tourism is a significant economic development strategy for the future of the area.

The strategic plan was developed to assist county and town officials and stakeholders to further develop and promote tourism, and to guide staff and volunteers who oversee tourism focused programming during the next five years and beyond. The tourism strategic plan is the result of the input of numerous county and town representatives and business owners and organization leaders. On April 16, 2013, the draft plan was presented to the Blacksburg Town Council and Christiansburg Town Council. The targeted adoption date by the County and Towns is May 17, 2013.

School Board Request for One-Time Funds

The County Administrator reported the School Board sent a letter of request for one-time funds of \$575,000 as follows:

“April 17, 2013
F. Craig Meadows
County Administrator
County of Montgomery
755 Roanoke Street, Suite 2E
Christiansburg, VA 24073-3179

RE: Request for One-Time Funds

Dear Mr. Meadows:

The Montgomery County School Board expresses appreciation for the actions of the Montgomery County Board of Supervisors in regard to the approval of the County's FY 2013-2014 budget. Although the approved budget does not provide all of the funds requested, the positive support for the school division is recognized and appreciated. The School Board approved a request to the Board of Supervisors for consideration of additional one-time funds in the amount of \$575,000. Even with the approved budget and an additional appropriation of \$2,337,990 in County funds, the School Board must still reduce their approved budget by \$1,490,127. The \$575,000 will be used for the continuation of building roof repair and maintenance (\$250,000); continuation of the 21st Century Technology Classroom improvements (\$150,000); and the replacement of two school buses (\$175,000). These funds will continue the initiatives started and approved as one time funds in FY 2012-2013. Allocation of these funds will greatly assist the School Board in making the required adjustments to their approved FY 2013-2014 budget request. This is forwarded to the Board of Supervisors for consideration as the board continues to discuss requirements and the development of funding to address capital needs.

- Building Roof Repair and Maintenance - This is a continuing budget request to create an identified source of funds for building repairs and improvements. In the past, year-end funds have been re-appropriated when available to fund these repairs. This makes planning difficult and limits when the work may be accomplished without disrupting the school year. The \$250,000 will be used for the repair and replacement of roofs for school buildings per the five-year roofing plan approved by the School Board.
- 21st Century Technology Classroom Improvement Plan - From the 2009-2010 budget, year-end funds of \$500,000 were designated and re-appropriated to begin an improvement plan for technology in all schools. In order to continue this plan, funds were included in the amount of \$250,000 in the FY 2011-12 budget to create a line item to facilitate the planning and implementation as opposed to the use of year-end funds that may or may not be available. The one-time funds in FY 2012-2013 of \$150,000 assisted in continuing this improvement. The additional one-time funds of \$150,000 for FY 2013-2014 are requested so that progress on this initiative may continue. We have over 5,000 computers and associated technology valued at over \$6 million. Technology is key to instruction and to preparing our students for the future. With a three to five-year life cycle, it is vital that technology be maintained, updated, and replaced. The technology plan as approved by the School Board is available at [http://www.mcps.org/Tech_files/techplan2010 2015.pdf](http://www.mcps.org/Tech_files/techplan2010%202015.pdf).
- Replacement of Aging School Buses - With a fleet of 125 buses and State guidelines stipulating that a bus should be used for ten years on daily routes plus two years as a spare, the school division should replace 10 to 12 buses per year. During the past fiscal year, six buses were replaced using the school operating budget and the \$350,000 allocated by the Board of Supervisors. The current budget includes \$181,525 for bus replacement that allows for the purchase of two buses. Older buses with high mileage require more maintenance and experience a greater frequency of operating failures. The

budget request is based on an estimated cost of a new school bus of approximately \$87,500. The cost of a bus includes the vehicle, a radio for communication, a camera system, and on-demand tire chains. For the most recent purchase, the vehicle cost \$83,370, the radio was \$510, the camera system cost \$1,900, and the tire chains were \$1,650 for a total of \$87,430. There are only three sources approved by the State for the purchase of buses, and the prices continue to increase.

Your ongoing support and your consideration of this request are appreciated.

Sincerely,
Brenda B. Blackburn
Superintendent”

Wendell Jones, School Board Chair, provided additional information to the Board regarding which school roofs are due to be replaced, and the replacement of school buses. According to Mr. Jones, the following schools roofs will be repaired: Margret Beeks Elementary School, Christiansburg Elementary School, and Shawsville Middle School. Mr. Jones stated that Montgomery County schools have 15 buses that are out of service and another 15 buses that exceed the 12- year life-span of a bus. Funds are budgeted in the FY 14 budget to purchase two new buses and this request is asking for additional funds to purchase another two buses.

After considerable discussion, the majority of the Board agreed that the request is justified. Board members expressed concerns with upcoming security costs for all the schools and unmet capital needs. Several Board members expressed concern that the School Board immediately requested additional funds after the FY 14 budget was adopted.

OUT OF WORK SESSION

On a motion by Annette S. Perkins, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Matthew R. Gabriele	None
Gary D. Creed	
Annette S. Perkins	
William H. Brown	
Mary W. Biggs	
Christopher A. Tuck	
James D. Politis	

School Board Request for One-Time Funds

Supervisors Tuck made a motion, seconded by Supervisor Creed, to delay action on the Montgomery County School Board request to the Board of Supervisors to allocate one-time funds in the amount of \$575,000 for use by the School Board in FY 14, in order for the County Administrator to review said request and to determine if there are requests from other agencies/departments. The motion was defeated.

A vote on the motion was defeated as follows:

AYE

Christopher A. Tuck
Gary D. Creed
James D. Politis

NAY

Annette S. Perkins
William H. Brown
Mary W. Biggs
Matthew R. Gabriele

Supervisor Biggs made a motion to approve the School Board's request for one-time funding of \$575,000.

R-FY-13-111 RESOLUTION APPROVING THE REQUEST BY THE SCHOOL BOARD FOR ONE-TIME FUNDING OF \$575,000

On a motion by Mary W. Biggs, seconded by Matthew R. Gabriele and carried,

WHEREAS, By letter dated April 17, 2013, the Montgomery County School Board requested the Board of Supervisors to allocate one-time funds in the amount of \$575,000 for use by the School Board in FY 14; and

WHEREAS, The School Board request states the \$575,000 will be used for building roof repair and maintenance (\$250,000); 21st Century Technology classroom improvements (\$150,000) and the replacement of two school buses (\$175,000).

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby allocates an additional \$575,000 in one-time funds for use by the School Board in FY 2013-2014 as outlined in the School Board letter of request dated April 17, 2013.

BE IT FURTHER RESOLVED, The Montgomery County Financial & Management Services Director is hereby instructed to prepare a supplemental appropriation resolution for the School Operating Fund in the amount \$575,000 subsequent to the annual appropriation for this fiscal year July 1, 2013 – June 30, 2014.

The vote on the foregoing resolution was as follows:

AYE

William H. Brown
Mary W. Biggs
Matthew R. Gabriele
Annette S. Perkins

NAY

Christopher A. Tuck
Gary D. Creed
James D. Politis

Chair Politis stated for the recorded he voted no to allocate one-time monies of \$575,000 to the School Board because he felt tonight was not the appropriate time to vote on the request. The item was not on the agenda for action and he believed there was time to allow for this item to come back to the Board at another time.

Appointment to the Roanoke Valley Area Metropolitan Planning Organization Policy Board

**R-FY-13-112
ROANOKE VALLEY AREA
METROPOLITAN PLANNING ORGANIZATION POLICY BOARD
APPOINTMENT**

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Annette S. Perkins** to the **Roanoke Valley Area Metropolitan Planning Organization Policy Board** (RVAMPO) and **James D. Politis** as alternate, effective April 23, 2013 and expiring June 30, 2014.

BE IT FURTHER RESOLVED, The expiration of a Board of Supervisors term in office shall constitute a voluntary resignation from any board/commission/authority appointment as a representative of Montgomery County.

The vote on the foregoing resolution was as follows:

AYE

Gary D. Creed
Annette S. Perkins
William H. Brown
Mary W. Biggs
Christopher A. Tuck
Matthew R. Gabriele
James D. Politis

NAY

None

COUNTY ADMINISTRATOR'S REPORT

The County Administrator reported on the following:

- The Montgomery County Public School System will be providing tours of the new Auburn High School site to the School Board and Board of Supervisors. MCPS will be sending out the dates and times.
- Security Concerns: With the national and local security concerns, staff will be looking into additional security measures for the Government Center and County buildings. The Board will be kept abreast of recommendations and changes.

BOARD MEMBERS' REPORTS

Supervisor Brown commended Montgomery County for being recognized by the National Association of Counties (NACo) for its transparency in open government. Montgomery County was one of ninety-six county websites across the nation recently named 2013 Sunny Award winners. The annual Sunshine Review award program recognizes the best state and county government websites in America for transparency.

Supervisor Biggs commented on the recent bombing at the Boston Marathon and it struck her how all the public safety agencies came together as one at a moment's notice to handle such a horrific event.

Supervisor Tuck commented on the School Board's request for one-time funding of \$575,000. He stated with the Board's approval of this one-time funding and the addition of the FY 14 budget it now makes the total allocation to the MCPS exceeding more than the School Board's original FY 14 budget request. Supervisor Tuck believes that the School Board has an operating budget and they should prioritize what is important.

Supervisor Gabriele requested that the role of the School Board liaison be reevaluated. He wondered if this liaison position is irrelevant, and it may have outgrown its usefulness since there now are County/School Liaison meetings between the County Administrator, School Superintendent and Board Chairs.

Several Board members provided a brief history on why a Board of Supervisors liaison representative was created. Even though there is more communication between the two entities than in the past, Board members felt that there still is a need for a liaison representative to the Schools.

Supervisor Politis reported he traveled to Washington D.C. to speak on the Industrial Hemp initiative. Representative Thomas Massie from Kentucky introduced the Industrial Hemp Farming Act of 2013 bill as follows:

Industrial Hemp Farming Act of 2013 - To amend the Controlled Substances Act to exclude industrial hemp from the definition of marijuana, and for other purposes.

ADJOURNMENT

The Chair declared the meeting adjourned to Thursday, May 9, 2013 at 6:00 p.m. for a joint meeting with the Town of Blacksburg. The meeting adjourned at 9:05 p.m.

APPROVED	ATTEST:
James D. Politis	F. Craig Meadows
Chair	County Administrator